

04 12. (Twice Amended) The network adaptor driver according to Claim 11 wherein said scheduling is determined partly by the destination address of said packets and partly by when a packet is received by said interface for receiving data so that packets are distributed over all destinations while minimizing the time to transmission from when a packet is received by said interface for receiving data.

REMARKS

Applicant respectfully requests further examination and reconsideration in view of the above amendments and the following remarks. Claims 1, 3, 8, and 12 have been amended herein. Claims 1-3, and 6-15 remain pending in the case.

112 Rejection

Claims 1-3, 8, and 12 are rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter. Applicant respectfully agrees with the Examiner's statement that Claim 1 contains an antecedent basis problem. In the above amended Claims, Applicant has amended Claim 1 thereby correcting the antecedent basis problems.

Applicant respectfully agrees with the Examiner's statement that Claims 3, 8, and 12 contain an unclear statement. In the above amended

Claims, Applicant has amended Claims 3, 8, and 12 thereby correcting the clarity of the statements.

Applicant respectfully submits that the rejection of Claim 2 as a dependent Claim is overcome due to the correction of independent Claim 1.

Applicant respectfully submits that the rejection under 35 U.S.C. 112 is overcome and Claims 1-3, 8, and 12 are now allowable.

103(a) Rejection

The Examiner rejected Claims 1-3 and 12 under 35 USC 103(a) as being unpatentable over Adelman et al. (4,748,620) in view of Badger et al. (5,606,559). Applicant has reviewed the Adelman et al. and Badger et al. references and respectfully assert that the claimed embodiments of the present invention are not rendered obvious in view of Adelman et al. in combination with Badger et al. for the following rationale.

Applicant respectfully agrees with the examiner that Badger et al. teach a method and system for an efficient ATM adapter/device driver interface. However, applicant respectfully disagrees with the Examiner's assertions that the teachings of Adelman et al. can be combined with Badger et al. to teach the present invention as illustrated in Claim 1. Specifically, Claim 1 states "a

mechanism for handling units of data received based on a destination address of said packets before transmitting on said network in order to improve overall network operation." As the Examiner stated, "Adelmann et al. does not disclose transmitting on said network in order to improve overall network operation."

Applicant understands that Adelmann et al. teaches putting a time stamp and the fixed overall delay on the initial packet and then linking the rest of the packets in a series or chain. However, the present Claim 1 states handling the units of data received based on the destination address of said packets. Applicants respectfully submit the teachings of Adelmann et al. in combination with Badger et al. fail to teach or suggest the desirability of the claimed limitation.

Additionally, Claims 2 and 3 are also dependent from Claim 1 which include the limitation of a mechanism for handling units of data received based on a destination address of said packets before transmitting on said network in order to improve overall network operation. Applicants respectfully submit that this limitation is not taught or suggested by the cited references.

Claim 12 states "while minimizing the time to transmission from when a packet is received by said interface for receiving said data." Applicant further understands Adelmann et al. to teach a *fixed overall delay*. Therefore,

Applicants respectfully submit the teachings of Adelman et al. in combination with Badger et al. fail to teach or suggest the desirability of the claimed limitation.

For the above reasons, Applicants respectfully submit that Claims 1-3 and 12 are allowable.

103(a) Rejection

The Examiner rejected Claims 6-10 under 35 USC 103(a) as being unpatentable over Adelman et al. (4,748,620) in view of Widjaja et al. (5,406,556). Applicant has reviewed the Adelman et al. and Widjaja et al. references and respectfully assert that the claimed embodiments of the present invention are not rendered obvious in view of Adelman et al. in combination with Widjaja et al. for the following rationale.

Applicant respectfully agrees with the examiner that Adelman et al. does not teach a method for reordering packets of data based on a destination address of said packets, so that said packets are spread over a number of different network destination paths. However, applicant respectfully disagrees with the Examiner's assertions that the teachings of Adelman et al. can be combined with Widjaja et al. to teach the present invention as illustrated in Claim 6.

Applicant respectfully submits that there is no "reordering packets of data based on destination address" by Adelman et al. Applicant understands Adelman et al. to teach putting a time stamp and the fixed overall delay on the initial packet and then linking the rest of the packets in a series or chain. Thus, Applicants respectfully submit the teachings of Adelman et al. cannot be reasonably combined with Widjaja et al. to teach or suggest the desirability of the claimed limitation.

Additionally, Claims 7-10 are also dependent from Claim 6 which include the limitation of reordering packets of data based on a destination address of said packets, so that said packets are spread over a number of different network destination paths. Applicants respectfully submit that this limitation is not taught or suggested by the cited references.

For the above reasons, Applicants respectfully submit that Claims 6-10 are allowable.

103(a) Rejection

The Examiner rejected Claims 13-15 under 35 USC 103(a) as being unpatentable over McClure et al. (5,471,472) in view of Adelman et al. (4,748,620). Applicant has reviewed the McClure et al. and Adelman et al. references and respectfully assert that the claimed embodiments of the present invention are not rendered obvious in view of McClure et al. in combination with Adelman et al. for the following rationale.

Applicant respectfully agrees with the examiner that McClure et al. does not teach a transmitting node network interface schedules and transmits data units on said transmission media in a destination-based order to improve network throughput. However, applicant respectfully disagrees with the Examiner's assertions that the teachings of McClure et al. can be combined with Adelman et al. to teach the present invention as illustrated in Claim 13.

Applicant understands Adelman et al. to teach putting a time stamp and the fixed overall delay on the initial packet and then linking the rest of the packets in a series or chain. The present Claim states handling the units of data received based on the destination address of said packets. Applicants respectfully submit the teachings of McClure et al. in combination with Adelman et al. fail to teach or suggest the desirability of the claimed limitation.

Additionally, Claims 14 and 15 are also dependent from Claim 13 which include the limitation of a transmitting node network interface schedules and transmits data units on said transmission media in a destination-based order to improve network throughput. Applicants respectfully submit that this limitation is not taught or suggested by the cited references.

For the above reasons, Applicants respectfully submit that Claims 12-15 are allowable.

Attached hereto is a marked-up version of the changes made to the Claims by the current amendments. The attachment is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

CONCLUSION

In light of the above remarks, Applicant respectfully requests reconsideration of the rejected Claims.


Based on the argument presented above, Applicant respectfully asserts that Claims 1-15 overcome the rejections of record and, therefore, Applicant respectfully solicits allowance of these Claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Claim 1 has been amended as follows:

1. (Twice Amended) A network adaptor driver comprising:
an interface for receiving data, said data received for a plurality of destinations, wherein said data for a particular destination is received having a particular relationship among individual data units;
an interface for transmitting packets of data over a network;
a mechanism for handling units of data received based on a destination address of said packets before transmitting on said network in order to improve overall network operation [and] such that when said [the] data is received at said destination, said individual data units [units of data] have the same relationship as when received by said interface for receiving data [from the host].

Claim 3 has been amended as follows:

3. (Twice Amended) The network adaptor driver according to Claim 1 wherein said handling is determined partly by the destination address of said packets and partly by when a packet is received by [from] said interface for receiving data [host] so that packets are distributed over all destinations while minimizing the time to transmission from when a packet is received by said interface for receiving data [from the host for a given packet].

Claim 8 has been amended as follows:

8. (Twice Amended) The method according to Claim 6 wherein said reordering is determined partly by the destination address of said packets and partly by when a packet is received by [from] said interface for receiving data so that packets are distributed over all destinations while minimizing the time to transmission from when a packet is received by said interface for receiving data [from the host for a given packet].

Claim 12 has been amended as follows:

12. (Twice Amended) The network adaptor driver according to Claim 11 wherein said scheduling is determined partly by the destination address of said packets and partly by when a packet is received by [from] said interface for receiving data [host] so that packets are distributed over all destinations while minimizing the time to transmission from when a packet is received by said interface for receiving data [from the host for a given packet].